IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE V.ESWARAIAH**

**WRIT PETITION NO : 20889 of 2002**

Between:

Tokala Seshamma w/o.Ramarao

R/o.Nagaluppalapadu, Prakasam Dist.

**..... PETITIONER**

AND

1. The Andhra Pradesh State Wakf Board rep. By its Chairman,

Haj House Complex, Nampally, Hyderabad.

2. The Chief Executive Officer, A.P.State Wakf Board,

Haj House Complex, Nampally, Hyderabad.

3. The Executive Officer, Andhra Pradesh State Wakf Board,

Prakasam Bhavan, Ongole, Prakasam Dist.

4. Polimeni Narasaiah, s/o.Venkata Subbaiah,

r/o.Nagaluppalapadu, Prakasam Dist.

**.....RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly in the nature of Writ of Mandamus declaring the proceedings No.R.4/33/Rent/PKM/98 dated 27.5.2002 of

the 2nd respondent as arbitrary, illegal, without jurisdiction and in violation of Section 56 of the Wakf Act, 1995 and to issue a consequential direction to the 1st respondent to conduct fresh auction to give lease hold rights to the agricultural lands situated in S.No.80 of Nagaluppalapadu village, Prakasam District to an extent of Ac.8.09 cents.

**Counsel for the Petitioner: MR.SUBBA RAO KORRAPATI**

**Counsel for the Respondent Nos.1 to 3: Mr.S.M.Subhani, S.C. for Wakf Board.**

**Counsel for the Respondent No.4: MR.N.VENKATA RAYUDU**

**The Court made the following:**

ORDER:

The writ petition is filed to declare the action of the Chief Executive Officer, A.P.State Wakf Board, the 2nd respondent herein, in auctioning the lease hold rights to an extent of Ac.8.09 cents granting lease for agricultural purpose for a period of three years from 8.5.2002 as illegal and arbitrary. As the said period of three years is coming to an end by 7.5.2005, I am of the opinion that the said action cannot be set aside at the fag end of the lease period and the subject matter of the writ petition has almost become infructuous.

The writ petition is, accordingly dismissed as infructuous. No order as to costs.

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(V.ESWARAIAH, J.)

8.4.2005

kpr

To

1. The Andhra Pradesh State Wakf Board rep. By its Chairman,

Haj House Complex, Nampally, Hyderabad.

2. The Chief Executive Officer, A.P.State Wakf Board,

Haj House Complex, Nampally, Hyderabad.

3. The Executive Officer, Andhra Pradesh State Wakf Board,

Prakasam Bhavan, Ongole, Prakasam Dist.

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